

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

MAR 16 2006

UNITED STATES OF AMERICA

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CLERK, U.S. DISTRICT COURT

By

Deputy

Plaintiff,

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v.

S NO. 5-06CV0043-C

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HALE COUNTY, TEXAS;
DIANE WILLIAMS, County Clerk
in her official capacity;
and the HALE COUNTY
COMMISSIONERS COURT;

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Defendants.

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ORDER CONSTITUTING THREE-JUDGE COURT

1. Requesting Judge: Sam R. Cummings
Northern District of Texas
2. Circuit Judge: Jerry E. Smith
United States Court of Appeals for
the Fifth Circuit
3. District Judge: Mary Lou Robinson
Northern District of Texas

Having been informed by the above identified requesting district judge that this action, which has been presented to him, is required to be heard and determined by a court composed of three judges, pursuant to the provisions of 28 U.S.C. § 2284, as Chief Judge of the United States Court of Appeals for the Fifth Circuit, I hereby designate the United States circuit and district judges named above as the members of the three-judge district court that is to hear and resolve this matter.

This Order is not to be taken as a pre-judgment, express or implied, that this is an action to be heard exclusively by a three-judge court. That question is best answered by a three-judge court. The parties will be afforded the opportunity to brief and argue all questions as may appropriately be presented to the three-judge panel, either preliminarily or on the trial of the merits, as the court deems appropriate.

Edith H. Jones

Edith H. Jones, Chief Judge
United States Court of Appeals
for the Fifth Circuit

Date: March 16, 2006